



Cannabis Control Commission Discusses Policy Changes to Adult Use, Medical Use of Marijuana Regulations

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Two Days of Dialogue Focus on Program Parity, Equity, Veteran Access and Participation, Energy and Efficiency Standards, and Public Safety

BOSTON—The Cannabis Control Commission (Commission) met on Thursday and Friday for policy discussions of potential changes to the medical use of marijuana and adult-use cannabis regulations in Massachusetts. The concepts under review are part of a process to draft and promulgate new regulations for Medical Marijuana Treatment Centers (MMTCs) – also known as Registered Marijuana Dispensaries (RMDs) – and Marijuana Establishments

(MEs) as well as the ongoing implementation of the medical-use and adult-use cannabis laws in the Commonwealth.

The proposed policies will be incorporated into draft regulations on which the Commission will vote at a later meeting. The public will have the opportunity to comment on all drafts before final regulations are promulgated by the Secretary of State.

Fees

Under the adult-use cannabis program, the Commission discussed:

- Maintaining low barriers to entry by keeping fees the same for small Cultivators (up to 20,000 square feet of canopy), Microbusinesses, Third-Party Transporters, and Research Facilities;
- Recouping licensing and inspectional costs and bringing the adult-use cannabis industry in line with the medical-use industry by increasing license and application fees for larger Cultivators (20,001-100,000 square feet of canopy), as well as Retailers, Product Manufacturers, Independent Testing Laboratories, and Transporters with an Existing License;
- Continuing to support farmers by maintaining reduced fees for outdoor Cultivators; and
- Expanding support for certified Economic Empowerment applicants and Social Equity Program participants by providing application fee waivers for both constituencies and reducing the first annual license fee for new license applicants.

Under the Medical Use of Marijuana Program, the Commission discussed:

- Bringing parity to the medical-use and adult-use application processes by developing new application fees for vertically-integrated MMTCs that reflect the application fees for adult-use Retailers, Product Manufacturers, and Cultivators, and reviewing current licensing fees.

For certified patients who register for access to medical marijuana, the Commission discussed:

- Potentially eliminating the \$50 annual patient registration fee, pending a financial evaluation of ways in which the Commission will offset lost Medical Use of Marijuana Program revenue.

Applications

To streamline the application process and create administrative efficiencies, the Commission discussed:

- Moving to one process for both the medical-use and adult-use cannabis programs, which includes requiring MMTC applications to be submitted through the existing online Massachusetts Cannabis Industry Portal that is already required for ME applications;
- Transitioning the current MMTC and ME licensing process from a multi-packet submission to a singular application that combines all required packets into one form; and
- Requiring MMTC applicants to submit a plan to support patients that resembles the positive impact and diversity plans which are required to be submitted under the adult-use cannabis licensing process.

Ownership and Control

To strengthen protections of the statutory limitations regarding ownership and control under the Medical Use of Marijuana Program and adult-use cannabis program, the Commission discussed:

- Requiring MMTC and ME applicants to proactively submit management contracts and similar materials as part of their application versus the current process in which staff request documentation over the course of application review and investigation;
- Clarifying ownership and control definitions under both the medical-use and adult-use cannabis programs; and
- Strengthening consequences for entities that violate the limits using enforcement mechanisms such as licensure denial, revocation of a license, and denial of a license renewal.

Suitability Standards

To strengthen and deter conduct that violates the Commission's adult-use cannabis regulations, the Commission discussed:

- Creating a mandatory disqualification for MEs that have their license revoked or renewal denied as the result of regulatory violations in the preceding five years; and
- Creating a presumptive negative determination that an applicant can overcome after the five-year period ends.

Delivery

To lower the barriers of entry while preserving public safety, the Commission discussed:

- Creating a delivery-only license type with exclusivity periods for Economic Empowerment applicants and Social Equity Program participants;
- Developing delivery-only regulations that are consistent with retail operation safety protocols;
- Restricting delivery to residential addresses and municipalities where retail sales are permitted; and
- Requiring delivery businesses to obtain the product from licensed Retailers.

Transactions and Potency

To add clarity to transaction and potency regulations, the Commission discussed:

- Explicitly prohibiting Marijuana Establishments from “knowingly” selling beyond the transaction limits; and
- Developing guidance on potency limits during the Fall regulatory process.

Energy & Environmental Standards

To fully implement the Energy & Environmental standards, the Commission discussed:

- Adopting draft regulations on Waste Disposal, Air Pollution, Lighting Power Density Standards, Compliance Documentation, and Renewable Exemption;
- Applying the Energy & Environmental standards to the Medical-Use of Marijuana Program; and

- Grandfathering adoption of the Energy & Environmental standards for MEs and MMTCs with a final license.

Cash Handling

To enhance safety provisions on cash handling, the Commission discussed:

- Requiring the use of armored transport that is registered with state police or alternatives that satisfy specific security requirements, including:
 - Real-time GPS
 - 2-way communication between MEs and transporters
 - Prohibition of transporting cash and marijuana or marijuana products in the vehicle together
 - Approval from the financial institutions where deposits will occur

Veteran Access and Participation

To increase veteran access and participation, the Commission discussed:

- Supporting the development of Medical Use of Marijuana Program regulations that allow veterans with debilitating illnesses (e.g. PTSD) to be registered in the Program; and
- Developing a timeline and plan to reevaluate the Social Equity Program criteria, including consideration of additional communities that have been impacted by drug enforcement (e.g. Veterans).

Medical-Use of Marijuana Program Enhancements

To increase the efficacy of the medical-use program, the Commission discussed:

- Increasing the patient cap for caregivers during the Fall regulatory process; and
- Working with concerned stakeholders to implement the Hardship Cultivation registration process during the Fall regulatory process.

Social Consumption

The Commission intends to reconvene on Thursday, May 16 to discuss policies related to social consumption, including recommendations submitted to staff by a working group that consists of local officials from across the Commonwealth who are interested in implementing social consumption in their municipalities.

A video recording of the Commission's full policy discussions will be available on the Commission's [Facebook page](https://www.facebook.com/Massachusetts-Cannabis-Control-Commission-2085850278302810/) [\[https://www.facebook.com/Massachusetts-Cannabis-Control-Commission-2085850278302810/\]](https://www.facebook.com/Massachusetts-Cannabis-Control-Commission-2085850278302810/).

The Commission also is available to the public by phone at 617-701-8400, by email at CannabisCommission@mass.gov [\[mailto:CannabisCommission@mass.gov\]](mailto:CannabisCommission@mass.gov), and on [Twitter](https://twitter.com/MA_Cannabis) [\[https://twitter.com/MA_Cannabis\]](https://twitter.com/MA_Cannabis).

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